

Remarks/Arguments:

On page 2, the Official Action rejects claims 1-2 and 5-7 under 35 U.S.C. § 102(b) as being anticipated by Kuwabara et al. (Japanese Patent No. JP 411015850A) using both the Derwent and JPO abstracts and teachings. On page 4, the Official Action rejects claims 3-4 and 8-14 under 35 U.S.C. § 103(a) as being unpatentable over Kuwabara using both the Derwent and JPO abstracts. It is respectfully submitted, however, that the claims are patentable over the art of record for the reasons set forth below.

Claims 1, 2, 4, 5, 7-11, 13 and 14 have been cancelled without prejudice. Thus, the rejections of claims 1, 2, 4, 5, 7-11, 13 and 14 are moot in view of their cancellation.

Independent claim 3 recites a system which includes a vehicle-mounted terminal which operates **remotely** from a fixed **information** center ("vehicle-mounted terminal which operates *remotely from said fixed information center*"). Furthermore, claim 3 recites that the fixed information center is able to obtain available space in the permanent cache of the remote vehicle-mounted terminal ("said fixed information center includes: ...available space obtaining means for obtaining a storage space available in said permanent cache means of said vehicle mounted terminal").

As shown in Fig. 1, information center 102 and vehicle-mounted terminal 101 operate remotely from one another. Specifically, information center 102 is at a fixed position whereas vehicle-mounted terminal 101 is not fixed. Fixed information center 102 includes an available space obtaining means 113. Obtaining means 113 (fixed) is able to obtain available space in the permanent cache means 105 of vehicle mounted terminal 101 (remote). Available space obtaining means 113 (fixed) is an important feature, because it is able to obtain available storage space in the remote vehicle's permanent cache before transmitting a payload. This feature is further supported on page 12, line 28 to page 13, line 9 ("available space obtaining means 113 is operated to obtain storage space available in the permanent cache means 105").

Kuwabara discloses a permanent cache on a motor vehicle which communicates with a fixed data pin center. Kuwabara, however, does not teach the fixed data pin center being able to determine the amount of available space in the permanent cache of the remote motor vehicle. On page 4, the Official Action takes official notice that it would

have been obvious to determine the amount of available space in the permanent cache of Kuwabara's system. The Examiner suggests without any basis that it may be obvious for the vehicle-mounted terminal to obtain the available storage space of its own permanent cache. The Examiner has provided no reference suggesting obtaining available storage space (such a reference is respectfully requested, *MPEP 2144.03*). It is, however, clearly not obvious for a **fixed** information center to obtain the available space in a **remote** vehicle-mounted terminal's permanent cache. This recited feature would not be obvious, because the information center is fixed whereas the vehicle-mounted terminal operates remotely. This feature insures that before the payload is transmitted from the fixed information center there is sufficient available space in the permanent cache of the remote vehicle-mounted terminal. This avoids the waste of time and inefficiency resulting from transmitting data to a destination that does not have an adequate amount of available storage space. Accordingly, for the reasons set forth above, claim 3 is patentable over the art of record.

Claim 6 has been similarly amended as claim 3. Thus, claim 6 is also patentable over the art of record for the reasons set forth above.

Newly added dependent claim 15 is dependent on claim 6 and recites a data deletion means wherein the fixed information center is able to delete information in the permanent cache of the remote vehicle-mounted terminal ("*information center...further comprising data deletion means for deleting said permanent cache data stored in said permanent cache means of said vehicle-mounted terminal, wherein said information center checks whether or not said data has been stored properly*"). This feature allows the fixed information center to delete information in the permanent cache of the vehicle-mounted terminal and check whether or not the data has been stored properly. Support for this newly added claim is found on page 12, line 30 to page 13, line 10. No new matter has been added.

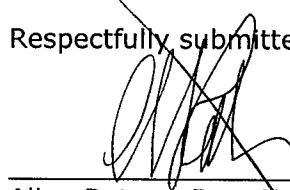
Dependent claim 12 which is similar to dependent claim 15, includes all the features of claim 3 from which it depends. Thus, claim 12 is also patentable over the art of record for the reasons set forth above.

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In view of the amendments and arguments set forth above, the above-identified application is in condition for allowance which action is respectfully requested.

Respectfully submitted,


Allan Ratner, Reg. No. 19,717
Attorney for Applicants

RAE/dmw

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P.O. Box 980
Valley Forge, PA 19482
(610) 407-0700

DMW/224554